

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HERSAIN ORTIZ-CHAVEZ,

Defendant.

4:13CR3105

DETENTION ORDER PENDING TRIAL

After affording the defendant an opportunity for a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f), the court concludes the defendant must be detained pending trial.

Based on the information of record,, the court finds by clear and convincing evidence that defendant's release would pose a serious risk of harm to the community and risk of defendant's nonappearance at court proceedings, and no condition or combination of conditions of release will sufficiently ameliorate that risk.

Specifically, the court finds that the defendant has a criminal record which indicates a propensity to violate orders of the court, including his supervised release; there is probable cause to believe he has used false names; he has limited contacts with the community; and waived the right to a detention hearing.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

August 28, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge